

Washington Coordinator's Report for September 20, 1984

Including Trip Report for September 12-13

* Malicious Interference Bills Introduced

* League Requests Study on Radiolocation

* Rulemaking on 160 Begins; ARRL Seeks Stay

* USTTI Trainers Meet in Washington

Rep. Bates, Senator Goldwater Introduce Bills On Interference

Representative Jim Bates, D-44th District of California, on September 6 introduced HR 6195, a bill to amend the Communications Act adding willful or malicious interference to the list of statutory offenses. Senator Barry Goldwater, R-Arizona, K7UGA -- long concerned about deliberate interference in several radio services -- submitted his own legislation, S 2975, on September 10. At the ARRL Executive Committee meeting in August, concern was raised about similar draft legislation which had been circulating; the Committee felt that the section dealing with seizure did not contain enough safeguards for the accused. The Goldwater Bill recognized these dangers as well as potential misuse in cases of unintentional interference, e.g., RFI to home entertainment devices, and contained a number of safeguards. On Monday, September 17, a conference chaired by Terry Emerson, an attorney who is Legislative Assistant to Senator Goldwater, refined the language of the Bill, further strengthening the safeguards. Others taking part in the discussions were: Ray Kowalski, Chief, FCC Special Services Division; Larry Clance, Attorney Advisor to the Chief, FCC Field Operations Bureau; David Siddall, K3ZJ, an attorney in the Congressional Research Service; and Chris Imlay, N3AKD, ARRL Counsel. [Originally, the meeting was set up as an intra-governmental session, but at my suggestion Larry Clance (who I believe had asked for the session) invited Chris to sit in; Terry Emerson and Dave Siddall graciously agreed.] The thrust of changes in the Bill is to permit seizure only upon Commission complaint of criminal violation, and permanent forfeiture only upon conviction of or judgment against such person in U.S. District Court. The floor statement was changed to read, "... authorizes the United States to seize . . . " in lieu of "... authorizes the FCC to seize . . . " Two other points also were clarified. The revised floor statement and bill are to be reintroduced by Senator Goldwater this week, I understand, if FCC supports the bill in writing.

ARRL Asks Study of Spectrum Needs For Radiolocation

As requested by the Executive Committee, on September 10 Counsel Imlay filed a Petition for Initiation of Inquiry Proceeding into the present use of radio frequency spectrum in the medium frequency bands by non-government users. The study should define the spectrum requirements of users, and determine the number of individual radiolocation stations necessary in a given geographical area. The ARRL paper goes on to recount recent history of allocations proposals for the various services in the bands 1605 to 2000 kHz, and poses a number of questions which should be answered during the course of the inquiry.

NPRM Would Allocate 1900-2000 kHz to Radiolocation

In an action whose timing still puzzles us, FCC released on September 11 a Notice of Proposed Rulemaking which would amend Part 90 of its rules to transfer the primary allocation of the band 1900-2000 kHz from the radionavigation service (e.g., LORAN) to the radiolocation service. The only place Amateur Radio is mentioned in the document is in quoting the footnote which permits amateur operation in the segment on a secondary basis until it becomes necessary to move radiolocation out of spots now planned for broadcast expansion. Yet the earliest time at which broadcasting could occupy its new space would be about 1990, after two sessions of a Regional Administrative Radio Conference on the subject. The Second Report and Order, Docket 80-739, which amended FCC Part 2 to reflect WARC 79 decisions, had indicated that 1900-2000 kHz would be available only for stations displaced from 1605-1705, not for expansion of the radiolocation service! What, then, is the hurry?

Accordingly on Friday (the 14th), ARRL filed a petition asking FCC to hold the Rulemaking in Docket 84-874 in abeyance until after our petition is considered or alternatively withdraw the NPRM and reissue it as a Notice of Inquiry along with our concerns.

Naturally, the first subject I posed to Ray Kowalski was this 160 meter matter. It took a few puzzling exchanges before I realized he thought I was talking about our petition for F1 emission in the band: he was totally unaware of the NPRM! We were both mystified on how the Notice had gotten to the Commissioners without his knowledge. (Later in the day he told me that in his absence on vacation his Marine Branch had been asked to clear it; unaware of the amateur implications, they had signed off!)

[In the course of this discussion, Ray delivered the Quote of the Week: "I believe standard broadcast expansion in 1605-1705 kHz may be an idea whose time has come -- and gone -- while waiting for the slow pace of change in international rules. By 1990 no one may be interested in new BC frequencies!"]

I also visited Bill Torak, Deputy Chief of the Spectrum Allocation Division, Office of Science and Technology. He was aware of our interest in having an inquiry, but had not seen either our request or the NPRM, which of course I handed to him. I get the impression Bill believes the ARRL study request has merit, and he may be able to help. Both Ray and Bill were given their own copies of the Friday request; I'll try to get some idea of our chances for a stay in the rulemaking during my visit this week.

USTTI Trainers Plan 1985 Curriculum

The United States Technical Training Institute (USTTI) is a cooperative effort of the U.S. telecommunications industry and the U.S. government to train senior engineers and middle-level managers of developing countries in modern communications techniques. The overseas visitors take their training, ranging from one to six weeks per course, at the regular training facilities of the American host company or of government entities active in spectrum management. The program began in the summer of 1983, and thus is part way through its second academic year. We have been interested in the program

since it began, in the belief that the middle level people attending courses now may well be the Ministers of Communication or Chiefs of Delegation at the next general WARC around the turn of the century. Our participation in the past two years has been limited to arranging some people-to-people contact for the visitors after hours and on weekends. Next year we plan a course, "Amateur Radio Administration" patterned after the seminars ARRL ran for overseas people just before WARC 79, at League Hq.

On September 12 and 13 there was a meeting of trainers from many of the companies to iron out details for next year's offerings. Wednesday night, the trainers joined the participants in a satellite course being offered by ComSat for a light dinner and conversation at the Bethesda home of a staff member. I was able to attend and had delightful conversations with two of the visitors, Clyde Phillips, from Trinidad and Tobago and Thachawich Payormyong, from Thailand. Clyde is studying to be an amateur himself, and is interested in, especially, the newer technical phases of amateur radio such as packet switching and satellites. His work in Trinidad is in communications research and development. The Thai is in frequency management. One piece of news to me was that the Amateur Service is presently being licensed again after a hiatus, but for the moment, only on 144 MHz.

Another quote of the week came up during the trainers' meeting. Mike Allen, of the National Telecommunications and Information Administration (NTIA) said he had been to conferences this year. "Believe me, last year's students are major players on the conference scene already," he said!

Other Conversations at FCC

Returning to my session with Ray Kowalski, he said that FCC was working on the request for F1 emission in the 1800-2000 kHz band, and I gathered that it should surface soon. I didn't get any indication of the outcome. Ray volunteered that he had heard about some of the more flamboyant papers being circulated concerning the proposals to reallocate part of 220 MHz to land mobile. He was irate about the attacks on Dr. Mike Marcus in the Office of Science and Technology and labeled them "impossible!" Ray mentioned that he had been to the annual meeting of the Radio Technical Commission for Maritime Services (RTCM) early in the summer. When I mentioned that ARRL was a long-time member of RTCM, he said he thought that was wise, especially since many of the participants are amateurs, and will appreciate the continued support of ARRL. With preparations for WARC 87-Maritime now underway, this can't hurt. Ray said that the newest Commissioner, Dennis Patrick, seems to have taken on the Private Radio Bureau as his area of strong interest. ARRL should try to cultivate and develop this interest as it pertains to the amateur service. We discussed the League's Request for Issuance of Declaratory Ruling toward limited Federal Preemption in the regulation of amateur towers and antennas. The Private Radio Bureau seldom gets anything like this, but it happens fairly often in the Common Carrier Bureau. Therefore, Private Radio Bureau borrowed a technique for handling it from Common Carrier, that of establishing a Pleading Cycle, labeled PRB-1. Interested parties can file comments until November 9 and reply comments until December 14. There have been a number of inquiries already, and Ray is

happy to know that ARRL will furnish copies of its request to anyone who sends a 9x12 inch self-addressed envelope with 88 cents postage on it. And of course, Ray was the one who told me about the Monday meeting concerning the malicious interference bills, and suggested I call Larry Clance.

Also had a pleasant session with John Johnston, W3BE, Chief, Personal Radio Branch. On a personal note, John told me that his father-in-law and best friend, Chester O.D. Thompson, Sr., W8RE, of Zanesville, Ohio, had died in August. John had a sked with Chester each week for the past 30 years or so; 1353 QSOs had resulted! John reminds us, and all VECs, that the review of Element 3 (Technician/General) questions is due October 1. He hopes for a 25% change in the question bank as a result. John reports that the Office of Science and Technology is drafting a proposed rulemaking which would switch all U.S. radio services over to the new mode symbols adopted by WARC 79. John is unhappy about this. He feels the system is far more complicated than it need be for the Amateur Service. He says it will just make amateurs angry and he wants to get Amateur Radio exempted. [I have not heard any similar comments from elsewhere in Amateur Radio; indeed, so far the sentiment has been that if Amateur Radio is to "Play with the big boys" in CCIR and through our various Memoranda of Understanding, we are going to have to use the new terminology. Indeed, the 1985 Handbook contains full information on how we think it will work.]

Et Cetera

Lewis Bradley, W4SWP, will retire from the Spectrum Planning Staff, National Telecommunications and Information Administration, soon. A retirement luncheon is scheduled for September 25, 1984 at Blackie's House of Beef, 22nd at M Street NW, with cocktails at 12, the meal at 12:30. For Washington readers of this, the contact is Arlene Roposh, 377-0599.

FCC had an Open Agenda Meeting on Wednesday, and the first item was to be consideration of RACES frequencies on 50-54 MHz. It was pulled at the last minute by Commissioner Dawson's office.

My trip this week is Wednesday and Thursday, September 19-20; next week Thursday and Friday, 27-28th unless I have to be at the FCC meeting on the 26th. I also plan to be in Washington October 3-4.

-- Perry Williams, W1UED September 19, 1984

